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PART—I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA

S.C.O. NO. 16-17, SECTOR 20-D, CHANDIGARH

Order

The 17th February, 2009

No. SEC/3ME/2009/1035.—As per provisions contained in Section 13D and 13E of Haryana Municipal

Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit i.e. 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

The General Election to Municipal Committee, Beri, District Jhajjar, was held on 20th January, 2008. The following 5 candidates failed to lodge their election expenditure account within 30 days of declaration of the result :—

Sr. No.	Name of Candidate	Ward No.
	Smt./Sh.	
1.	Kalawati	2
2.	Rajwanti	6
3.	Sunita W/o Sh. Mukesh	7
4.	Bimla	7
5.	Mahender	9

They were issued show cause notice as to why they should not be disqualified because they had not filed the election expenditure statement in time. Out of 5 candidates only Smt. Bimla *vide* letter dated 6th January, 2009 received in Commission on 22nd January, 2009 through Secretary, Municipal Committee, Beri has informed that her register was lost thereafter, after searching, the register was found later on. She has sent her election expenditure with the request to accept the expenditure register and documents.

They were personally heard by me on 3rd February, 2009 at 12.00 noon at Gauriyya Tourist Complex, Bahadurgarh. The following candidates came present for the hearing :—

Smt./Sh.

1. Rajwanti
2. Bimla
3. Mahender

Smt. Rajwanti stated that she has lost her expenditure register and after searching the expenditure register could not found so she could not submit her expenditure statement.

Smt. Bimla stated the same reason which has already given in her written reply dated 6th January, 2009. Her register was lost thereafter, after searching, the register was found later on. She sent her election expenditure with the request to accept the expenditure register and documents.

Shri Mahender also stated that he lost his expenditure register therefore he could not submit his election expenditure statement in time. He has submitted his expenditure statement on 3rd February, 2009 through Shri Joginder Singh, Clerk of Municipal Committee, Beri.

The explanation given by the above three candidates is not satisfactory as they could not show any good cause for their failure to file the election expenditure statement by 18th February, 2008. Hence, as per provision provided in Section 13D of the Haryana Municipal Act, 1973 they are disqualified for a period of 3 years from the date of this order.

The remaining 2 candidates namely; Kalawati and Sunita W/o Shri Mukesh did not appear before me to explain their position. As per record available in the Commission, Smt. Kalawati has filed election expenditure account on 3rd February, 2009 in the office of Municipal Committee, Beri on the date of personal hearing. Smt. Sunita Devi W/o Shri Mukesh had not filed the election expenditure account at all. There are delays in case of candidates who have filed

their election expenditure account. They had neither given any satisfactory explanation for this delay nor has come present. Hence, all the 2 candidates, whose names are mentioned above are also disqualified for a period of three years from the date of this order.

Copy of the order be communicated to all concerned and got notified in the Haryana Government Gazette.

Chandigarh :

The 12th February, 2009

CHANDER SINGH,

State Election Commissioner, Haryana.

STATE ELECTION COMMISSION, HARYANA
S.C.O. NO. 16-17, SECTOR 20-D, CHANDIGARH

Order

The 17th February, 2009

No. SEC/3ME/2009/1046.—As per provisions contained in Section 13D and 13E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit *i.e.* 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

The General Election to Municipal Committee, Siwani, District Bhiwani, was held on 20th January, 2008. The following 17 candidates failed to lodge their election expenditure account within 30 days of declaration of the result :—

Sr. No.	Name of Candidate	Ward No.
1	2	3
	Smt./Sh.	
1.	Sumitra	1
2.	Shalu	2
3.	Sudhan Kumar	3
4.	Mani Ram	4
5.	Sat Pal Singh	4
6.	Archana	5
7.	Sita Devi	6
8.	Ajay Kumar	8
9.	Jagbeer	8
10.	Jitender Kumar	8
11.	Neelam	8
12.	Mika Devi	8
13.	Sumitra	8
14.	Mahender Singh	12
15.	Maya Devi	12
16.	Dharam Pal	13
17.	Maya Ram	13

They were issued show cause notice as to why they should not be disqualified because they had not filed the election expenditure statement in time. Out of 17 candidates only Smt. Shalu *vide* her letter dated 12th January, 2009 has informed that She was abroad with her family so she could not file her election expenditure in time. She has sent her election expenditure register directly to the Commission on 16th January, 2009.

They were personally heard by me on 29th January, 2009 at 12.00 noon at PWD Rest House, Bhiwani. The following candidates came present for the hearing :—

Smt./Sh.

1. Jagbeer
2. Mika Devi did not come present and she was represented by her son Jagbeer.
3. Dharam Pal
4. Maya Ram did not come present and he was represented by his brother Dharam Pal

Sh. Jagbeer Singh stated that he was working in Textile Mill at Surat and his mother Mika Devi is also living with him who was also a candidate from Ward No. 8. Therefore, he and his mother could not file their election expenditure statement. He has requested to give some time to deposit the election expenditure statement. He was informed that no more time can be granted for filing expenditure statement as per provisions of rule.

Sh. Dharam Pal, a candidate from ward No. 13 and on behalf of his brother Sh. Maya Ram, who was also a candidate of Ward No. 13 has stated that their mother was ill and due to illness after six-seven months she expired on 17th November, 2008 so they could not file their expenditure statement in time. He has also submitted his mother's death certificate.

The explanation given by the above four candidates is not satisfactory as they could not show any good cause for their failure to file the election expenditure statement by 18th February, 2008. Hence, as per provision provided in Section 13D of the Haryana Municipal Act, 1973 all the four candidates mentioned at Sr. No. 9, 12, 16 and 17 respectively are disqualified for a period of 3 years from the date of this order.

The remaining 13 candidates namely; Sumitra, Shalu, Sudhan Kumar, Mani Ram, Sat Pal Singh, Archana, Sita Devi, Ajay Kumar, Jitender Kumar, Neelam, Sumitra, Mahender Singh and Maya Devi did not appear before me to explain their position. As per record available in the Commission, Smt. Sumitra has filed election expenditure account on 22nd August, 2008. Mahender Singh and Maya Devi had filed the election expenditure account on 30th August, 2008. Dharam Pal and Maya Ram had filed their election expenditure account on 27th January, 2009 which is beyond prescribed limit of time. The remaining 12 candidates has not filed their election expenditure account at all. They have not given any satisfactory explanation for this delay. They were absent on the date of hearing despite due notice given to them. Hence, all the 13 candidates mentioned at Sr. No. 1 to 8, 10 and 11 and 13 to 15 are also disqualified for a period of three years from the date of this order.

Copy of the order be communicated to all concerned and got notified in the Haryana Government Gazette.

Chandigarh :

The 12th February, 2009

CHANDER SINGH,

State Election Commissioner, Haryana.

STATE ELECTION COMMISSION, HARYANA

S.C.O. NO. 16-17, SECTOR 20-D, CHANDIGARH

Order

The 20th February, 2009

No. SEC/3ME/2009/1140.—As per provisions contained in Section 13D and 13E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the

date of his nomination till the declaration of result. As per order dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit *i.e.* 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission, Haryana will be disqualified by this State Election Commission, for three years.

The General Election to Municipal Committee, Nilokheri, District Karnal was held on 20th January, 2008. Sh. Mahinder Singh a candidate of Ward No. 6 failed to lodge his election expenditure account within 30 days of declaration of result.

He was issued show cause notice as to why he should not be disqualified because he had not filed the election expenditure statement in time. Thereafter, he was directed to appear before me for personal hearing on 5th February, 2009 at 12.00 noon, at Haryana Tourism's Complex, Karan Lake, Karnal. He appeared before me and stated that he had submitted the election expenditure register in the office of Municipal Committee for checking during the election. After losing the election neither he bother to file the election expenditure nor submit the same. He could not give any conveying reason for non filling of election expenditure register. Sh. Mahinder Singh is hereby disqualify for a period of three years from the date of this order.

Copy of the order be communicated to Sh. Mahinder Singh and got notified in the Haryana Government Gazette.

Chandigarh :

The 12th February, 2009

CHANDER SINGH,

State Election Commissioner, Haryana.

STATE ELECTION COMMISSION, HARYANA

S.C.O. NO. 16-17, SECTOR 20-D, CHANDIGARH

Order

The 20th February, 2009

No. SEC/3ME/2009/1147.—As per provisions contained in Section 13D and 13E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit *i.e.* 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission, Haryana will be disqualified by this State Election Commission, for three years.

The General Election to Municipal Committee, Nilokheri, District Karnal, was held on 20th January, 2008. Sh. Gulab Singh a candidate of Ward No. 5 failed to lodge his election expenditure account within 30 days of declaration of result.

He was issued show cause notice as to why he should not be disqualified because he had not filed the election expenditure statement in time. Thereafter, he was directed to appear before me for personal hearing on 5th February, 2009 at 12.00 noon, at Haryana Tourism's Complex, Karan Lake, Karnal. He appeared before me and stated that his election expenditure register was lost. Therefore, the expenditure register could not deposited. He could not give any conveying reason before non filing of the election expenditure register. Sh. Gulab Singh is hereby disqualify for a period of three years from the date of this order.

Copy of the order be communicated to Sh. Gulab Singh and got notified in the Haryana Government Gazette.

Chandigarh :

The 12th February, 2009

CHANDER SINGH,

State Election Commissioner, Haryana.